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500.39771X00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: NAKANO et al
Serial No.: 09/763,735
Filed: February 27, 2001
For: Circuit Board Production Method And Its Apparatus
Art Unit: 3742
Examiner: M. Paschall

RESPONSE

Mail Stop: Response (No Fee)
Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

December 26, 2006

Sir:

The following remarks are respectfully submitted in connection with the above-identified application, in response to the Office Action dated November 28, 2006.

The requirement for restriction under 35 USC 121 and 372 to elect a single invention which the Examiner identifies as Group I, claim(s) s 1-11, drawn to method of laser processing classified in class 219, subclass 121.41, and Group II, claim(s) processing apparatus, drawn to apparatus for laser processing, classified in class 219/121.43, is traversed as being improper, in that, for example, the Examiner has failed to indicate what claims are considered to be part of Group II.

Applicants note that claims 12 - 25 recite the features of a "circuit board producing apparatus" (emphasis added), and it would appear that, although not indicated by the Examiner, such are the claims indicated to be part of Group II.

The Examiner contends that the inventions listed as Groups I and II do not relate to a single general inventive concept, and that the apparatus of Group II could be used in methods other than that claimed. The Examiner's position is not understood, since applicants note that claim 1 of Group I recites features substantially coextensive with recited features of claim 12, which it is assumed represents part of Group II. For example, claim 1 recites the feature of performing an irradiation with a laser light into a processing chamber through an observing window, while claim 12 recites irradiating means for performing an irradiation with a light into the processing chamber and an observing window means guiding the light from the irradiating means into the processing chamber. Likewise, claim 1 recites wavelength-separating and light-receiving a light having particular features and such is also recited in claim 12. Furthermore, claim 1 recites detecting a frequency component, using a detected signal to obtain information about number and size of particles, with claim 12 reciting substantially similar features. Furthermore, claim 1 recites outputting the obtained information about the number and size of the particles, and claim 12 recites the feature of outputting means for outputting the information obtained. Thus, contrary to the position set forth by the Examiner, substantially the same features are recited in claim 1 of Group I and claim 12, which is assumed to be part of Group II. Thus, applicants submit that the Examiner has failed to properly show that the groups do not relate to a single general inventive concept and may lack the same or corresponding special technical features. Accordingly, withdrawal of the restriction requirement is respectfully requested.

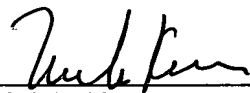
In order to provide a complete response to the restriction requirement, applicants provisionally elect, with traverse, Group I, claims 1 - 11.

For the foregoing reasons, favorable action with respect to all claims present in this application are respectfully requested.

To the extent necessary, applicants petition for an extension of time under 37 CFR 1.136. Please charge any shortage in the fees due in connection with the filing of this paper, including extension of time fees, to the deposit account of Antonelli, Terry, Stout & Kraus, LLP, Deposit Account No. 01-2135 (Case: 500.39771X00), and please credit any excess fees to such deposit account.

Respectfully submitted,

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